

United States District Court  
For the Northern District of California

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6 IN THE UNITED STATES DISTRICT COURT

7 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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10 ORACLE AMERICA, INC.,

No. C 10-03561 WHA

11 Plaintiff,

12 v.

13 GOOGLE INC.,

**REQUEST RE OPPOSITION  
TO MOTION IN LIMINE**

14 Defendant.  
\_\_\_\_\_/

15  
16 In its opposition to Google's motion *in limine* seeking to exclude portions of the  
17 testimony and report of James Malackowski, Oracle shall please itemize all specific evidence it  
18 intends to present at trial establishing the threshold showing required of copyright plaintiffs by  
19 our court of appeals in *Polar Bear Productions, Inc. v. Timex Corp.*, 384 F.3d 700 (9th Cir.  
20 2004), and *Mackie v. Rieser*, 296 F.3d 909 (9th Cir. 2002), in order to recover indirect profits of  
21 the infringer. If needed, the Court will be generous in allowing extra pages.

22  
23 Dated: April 3, 2016.

  
24 WILLIAM ALSUP  
25 UNITED STATES DISTRICT JUDGE

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